

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

CULLEN LATHAM ROBERTS,

Case No. 1:20-MJ-332

Defendant.

CONSENT MOTION TO EXTEND TIME FOR INDICTMENT

The United States of America, by and through undersigned counsel, with the consent of the defendant through his counsel, respectfully moves the Court to extend the time to indict this case through and including August 31, 2021. In support thereof, the government states as follows:

1. The defendant was arrested in the Northern District of Georgia on or about December 2, 2020, on a criminal complaint charging him with distribution of controlled substances, in violation of Title 21, United States Code, Section 841(a)(1). In that District, the defendant waived his preliminary hearing but had a detention hearing on December 17, 2020, at which time he was ordered detained and transferred to a federal medical center for evaluation and/or treatment.

2. The defendant's evaluation was subsequently completed, and he was transported to the Eastern District of Virginia, where he made his initial appearance on June 16, 2021. ECF No. 13. The defendant is represented by retained *pro hac* and local counsel.

3. The Speedy Trial Act requires that the defendant be indicted within thirty days of the defendant's arrest after subtracting all excludable time. A conservative estimate of the indictment deadline, now that the defendant has arrived in the Eastern District of Virginia, is July

16, 2021. The United States, with the consent of the defendant, requests an extension of approximately 45 days for an extension of the time to indict. Extending this time period for approximately 45 days would be in the best interests of justice in that it would give the defense counsel an opportunity to meet with the defendant, to review discovery and to discuss possible cooperation and a possible pre-indictment plea resolution of the case, while taking into account the schedule of the grand jury.

4. The United States has advised defense counsel of the filing of this motion and defense counsel consents to this motion.

WHEREFORE, the United States requests that the time to indict this case be extended to and including August 31, 2021, and that the delay resulting from this extension be excluded in computing the time within which an indictment must be filed pursuant to Title 18, United States Code, Section 3161(h). A proposed order is attached to this Motion.

Respectfully submitted,

Raj Parekh
Acting United States Attorney

Date: June 22, 2021

By: /s/
Katherine E. Rumbaugh
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on June 22, 2021, I filed the foregoing with the Office of the Clerk of Court electronically using the CM/ECF system, which will automatically send a notification of such filing to all counsel of record.

/s/
Katherine E. Rumbaugh
Assistant United States Attorney